

**ADMINISTRATIVE ORDER NO. 53-99-05-F**  
**of the**  
**City Manager of the City of Eugene**

**AMENDMENT OF PUBLIC PASSENGER VEHICLE SERVICES**  
**ADMINISTRATIVE RULE R-3.345, AND REPEAL OF**  
**ADMINISTRATIVE ORDER NO. 53-93-26-F.**

**The City Manager of the City of Eugene finds that:**

**A.** Pursuant to the authority contained in Sections 2.019 and 3.345 of the Eugene Code, 1971, Public Passenger Vehicles Services Administrative Rule R-3.345, as initially adopted in 1991, was amended by Administrative Order No. 53-93-26-F on November 9, 1993.

**B.** Subsequent thereto, on November 1, 1999 I issued an Administrative Order that was erroneously numbered 58-99-21, and was corrected to 53-99-05, that proposed an amendment to Rule R-3.345-A to incorporate a definition for an "Airport Door to Door Shuttle Service;" an amendment to Rule R-3.345-C to set forth specific requirements relating to public passenger vehicles that respond to the Eugene Airport to ensure compliance with provisions of the Eugene Code, 1971; and an amendment to Rule R-3.345-G to include provisions specific to Airport Door-to-Door Shuttle Service.

**C.** Notice of the proposed amendments was provided to current public passenger vehicle licensees, published in the Register Guard for five consecutive days, to-wit, on November 5, 6, 7, 8, and 9, 1999, and made available for inspection by interested persons at the office of the Airport Manager, 28855 Lockheed Drive, Eugene, Oregon 97402 during normal business hours (9:00 a.m. to 5:00 p.m., Monday through Friday, exclusive of holidays).

**D.** The Notice provided that interested persons could submit written comments thereon for a period of 15 days from the first date of publication. No comments were received within the time or in the manner required by the Notice.

**E.** I find that adoption of the proposed revisions to Rule R-3.345-A, R-3.345-C and R-3.345-G are necessary in order to ensure compatibility with the Eugene Code, 1971, Airport rules, regulations, permits, and contracts, and the unamended portions of Rule R-3.345 should be reaffirmed and Administrative Order No. 53-93-26-F repealed.

**Therefore, based on the above findings, I hereby order as follows:**

**1.** The amendments to Sections A, C, and G of Public Passenger Vehicle Services Administrative Rule R-3.345 as proposed in Administrative Order No. 53-99-05 are hereby adopted, and the unamended portions of Rule R-3.345 are ratified and affirmed, and the Rule provides in its entirety as follows:

**Public Passenger Vehicle Services  
Administrative Rule R-3.345**

**R-3.345-A    DEFINITIONS.**

As used herein, the following words and phrases mean:

**Accessible Vehicle.** Any public passenger vehicle for hire that is constructed and equipped to meet ADA standards for the non-emergency transportation of persons in wheelchairs, persons using other mobility aids, or with other mobility impairments.

**ADA.** Americans with Disabilities Act.

**Airport Door to Door Shuttle Service.** A motorized vehicle that is either a van or bus with the capacity to transport at least six passengers and their luggage, used only for the transportation of passengers from the Eugene Airport to any destination in the Eugene/Springfield area, and from anywhere within the Eugene/Springfield area to the Eugene Airport, with fares based on zone rates. An Airport Door to Door Shuttle shall comply with all requirements of this Rule applicable to public passenger vehicles, except as specifically provided in R-3.345-G.

**Business.** Any business, institution, association, occupation, and calling of every kind.

**Charter Vehicle.** A motorized vehicle originating from the Eugene-Springfield Metropolitan Area, marked with the company's business name, operated for hire to transport a group of seven or more persons with the fare based on a group rate rather than an individual basis.

**Club Car Service.** Vehicular passenger transportation service provided by a business to club members or by a residence home to its residents.

**Courtesy Car Service.** Vehicular passenger transportation service provided by a business to its clients or customers at no cost.

**Employee.** Any person employed for remuneration or under any contract of hire, written or oral, express or implied, including independent contractors. All persons who drive public passenger vehicles, including any person who has an ownership interest in the company, shall be considered employees of the public passenger vehicle company for purposes of this Rule.

**Horse-drawn Vehicle.** Any vehicle which is operated or pulled by horse, mule, or any other beast of burden.

**Limousine.** An unmarked luxury class motor vehicle that is operated for hire on a reserved, hourly basis, and used on a prearranged basis for special or business functions, weddings, funerals or similar purposes.

**Manager.** Any person in charge of the operation or management of the public passenger vehicle company, any person who can direct or control the activities and scheduling of the company's employees, and any person who can hire or fire the company's employees.

**Motorized Vehicle.** A public passenger vehicle other than a horse-drawn carriage or a pedicab.

**Operator.** Any person who is a principal in a public passenger vehicle company. A principal includes all owners, shareholders, partners, directors, officers and managers.

**Pedicab.** Any vehicle which is operated or pulled by a bicycle.

**Public Passenger Vehicle.** Any vehicle which is used for the transportation of passengers for hire, including, but not limited to, shuttles, horse-drawn carriages, pedicabs, and taxicabs. However, the following shall not be considered public passenger vehicles for purposes of this Rule:

1. Vehicles operated pursuant to written authority by the City, state or federal governments, or political subdivisions thereof;
2. Vehicles commonly known as rent-a-cars, that are rented to be driven by the renter or his or her agent;
3. Courtesy car services;
4. Tour bus services;
5. First aid vehicles, as that term is defined in Section 3.005 of the Eugene Code, 1971;
6. Club car services; and
7. Limousines.

**Public Passenger Vehicle Company.** Any business which operates one or more public passenger vehicles, regardless of who owns the vehicles operated.

**Shuttle.** A motorized vehicle for hire that transports passengers between predetermined destinations (e.g. motels, airport, downtown passenger station), at fixed rates, and on a fixed schedule.

**Taxicab.** A motorized vehicle that is operated for hire by the public passenger vehicle company, other than a shuttle, limousine, or charter.

**Taxi Meter.** A mechanical or electronic device which calculates and displays a fare.

**Tour Bus.** A motorized vehicle accepting individual passengers for a fare for sightseeing or guided tours, making occasional stops at certain points of interest and returning the passengers to the point of origin.

### **R-3.345-B     APPLICATION.**

1. An application for a business license, or for renewal of a business license required by Section 3.345 of the Eugene Code, 1971, shall be completed by each and every principal in the business. A principal in the business includes all owners, shareholders, partners, directors, officers and managers. The City Manager or designee may exempt certain principals from completing an application if the City Manager or designee determines that granting such an exemption is consistent with the objectives of the Eugene Code, 1971, and where the business demonstrates to the satisfaction of the City Manager or designee that those principals play no role in the operation of the company.

2. The business license application form shall generally require information relating to the name, address, business type, manager, business intent, current rates of fare and registered agent. If the business name as submitted in the application is the same as a currently licensed public passenger vehicle company, or so similar as to likely create confusion, the applicant shall be so advised, and no further processing of the application shall occur until the applicant submits a different business name. Additionally, each principal of the applicant business may be required to provide past and current addresses, employment, judicial involvement including criminal history, and history of denial, suspension or revocation of business licenses in this or any other jurisdiction. A change in registered agent shall not be effective until the City receives written notice of the change.

### **R-3.345-C     STANDARDS AND REQUIREMENTS FOR ALL PUBLIC PASSENGER VEHICLE COMPANIES**

1. **General Requirements.** A public passenger vehicle company shall not refuse to respond to any request for service from a location within the Eugene-Springfield city limits. However, the driver can refuse to provide such service if he/she has a reasonable basis for believing that his/her personal welfare is threatened, or that the passenger will damage the vehicle or be unable or unwilling to pay the fare. In addition, no public passenger vehicle company shall respond to a request for service from the Eugene Airport unless it is authorized to do so by a ground transportation activity permit issued by the Airport Manager.

#### **2.     Insurance and Hold Harmless Agreement.**

(a) **Insurance.** Every public passenger vehicle company shall obtain and furnish to the City evidence of liability insurance meeting the following minimum standards for the company's operations and all of its vehicles:

(1) Insurance coverage must be in the minimum amount of \$200,000 for bodily injuries to one person, \$500,000 for bodily injuries from one accident, and \$100,000 property damage, or in lieu of the above described coverages, a combined single limit coverage of not less than \$500,000 covering any number of claims arising out of any single occurrence, plus cost of defense.

(2) The limits of the insurance may be increased during the term of the permit if statutory changes are made to maximum limits of liability imposed on municipalities.

(3) Insurance policies on vehicles regulated under Section 3.345 of the Eugene Code, 1971 shall contain a provision that the policy will not be reduced in coverage or cancelled without 30 days prior written notice to the City Manager or designee, unless waived by the City in writing.

(4) Evidence of insurance coverage in compliance with this Section must be on file with the City Manager or designee at all times.

(5) Two weeks (10 working days) prior to expiration date of insurance coverage, a renewal certificate must be provided to the City Manager or designee.

(6) Every day a public passenger vehicle is operated without an insurance policy as required by these regulations shall be deemed a separate violation, and every person operating or permitting such operation shall be subject to enforcement proceedings.

(7) Any license, permit or certification issued under the provisions of these regulations shall expire automatically upon the cancellation, expiration or other lapse of the insurance required by this section.

(8) A public passenger vehicle company shall restrict use of company vehicles to drivers who are insured for the vehicles being operated by the drivers, and shall not permit a vehicle or driver to operate in an area for which no insurance coverage is provided.

(b) **Hold Harmless Agreements.** All licensees shall furnish to the City on a form provided by the City, a signed statement that the licensee shall defend, indemnify and hold harmless the City, its officials, agents, and employees for all claims of injury to property or persons that may arise as a result of any activity carried on by the licensee.

### 3. **Records Maintained.**

(a) **Vehicle Maintenance Records.** The operator of all public passenger vehicle companies using motorized vehicles shall maintain maintenance records for all motorized

vehicles used by the operator's company. The records shall include, but not be limited to, records of all tests for brakes, tires, steering wheels, mechanical parts and lighting equipment. The operator shall make said records available to the City Manager or designee upon request.

(b) **Employee Records.** The operator of all public passenger vehicle companies using motorized vehicles shall keep a personal history record of each employee and those records shall contain:

(1) The complete legal name and all other names by which the employee is or has been previously known;

(2) The employee's date of birth, height, weight, hair and eye color, Oregon driver's license number, place of birth, social security number, and citizenship status;

(3) The employee's current address and his/her previous addresses for the past 5 years, including the dates of residence at those addresses;

(4) The date on which the City issued the employee his/her driver certification;

(5) A passport size photo that is not more than one year old.

(c) **Service Recipient Records.** The operator of all public passenger vehicle companies, including those using non-motorized vehicles, shall maintain a record of all services provided and those records shall include:

(1) A log maintained by each driver which contains a record of every trip, in a form approved by the City Manager or designee; and,

(2) A log by each taxicab licensee showing every service request and subsequent dispatch.

(d) **Complaint Records.** The operators of all public passenger vehicle companies shall maintain a record of all complaints lodged against the operator's company and/or personnel. Those records shall reflect:

(1) The complaining party or parties by name, address, and telephone number;

(2) The incident date of the complaint and a summary of the complaint allegation;

(3) The name(s) of personnel complained against; and

(4) A summary of the complaint inquiry and the outcome and company actions as a result of that inquiry.

(e) **Tenure of Record Maintenance.** Vehicle maintenance, service recipient and complaint records shall be kept for a period of three years after the last date of service or complaint. Employee records shall be kept throughout the period of active employment and for a period of one year after termination of employment.

### **R-3.345-D STANDARDS FOR VEHICLES.**

#### **1. Permit Required.**

(a) No operator shall put into service, nor shall any employee drive, any motorized public passenger vehicle except for vehicles which have public passenger vehicle permits from the City.

(b) No motorized vehicle shall be eligible for a public passenger vehicle permit unless the vehicle has passed a safety inspection, as provided in section 2(a) below, within 30 days prior to the filing of the permit application, whether for a new permit, or renewal of a permit.

(c) All public passenger vehicles shall be maintained, marked and provided with safety and taxi meter equipment as required by these rules. Failure to comply with the vehicle requirements shall be grounds for revocation or suspension of the vehicle permit, and of the operator's license.

(d) No vehicle permit shall be transferrable.

(e) Except for a vehicle that is equipped and marked for both charter and shuttle use, multiple uses for the same vehicle are not permitted.

2. **Vehicle Maintenance Requirements.** Each motorized vehicle shall be kept clean, of good appearance, in good repair, properly equipped, and in a safe condition. To insure the safe condition of all motorized vehicles:

(a) **Regular Inspections.** The operator shall cause all motorized vehicles used by the public passenger vehicle company to be inspected regularly, but no less often than every six months, by a commercial automobile garage. Said garage shall not be owned nor operated by the operator or employees of the public passenger vehicle company, nor shall employees of the garage also be employees of the public passenger vehicle company. At the completion of the inspection, the garage shall certify, on a form provided by the City, that the vehicle is safe. A copy of that certification shall be filed with the City. Failure to timely file the safety certification shall be grounds for suspension of the permit.

(b) **Special Inspections.** In addition to regular inspections, the operator shall cause all vehicles used by the public passenger vehicle company to undergo such special inspections as the City Manager or designee may require. Where such an inspection has been required, the vehicle shall not be used until after the vehicle passes the inspection.

3. **Vehicle Marking Requirements.** All motorized public passenger vehicles shall be marked as required herein. Vehicles not in compliance with these requirements shall not be used for carrying passengers.

(a) **Interior Marking.** Each public passenger vehicle shall be marked on the interior with the company's name, vehicle license number, vehicle permit number, type of vehicle permit issued, operator complaint telephone number, and City complaint telephone number. In addition to the foregoing, the interior marking for taxicabs and shuttles shall include current rates of fare, including any authorized surcharge, minimum charge, or discount availability. Said markings shall be readable by all passengers (with normal vision) at all times. Markings shall not be placed on windows.

(b) **Exterior Marking.**

(1) Each taxicab, shuttle or charter vehicle shall be conspicuously and permanently marked on the rear and right and left exterior sides with the company name. Exterior markings shall be in letters and numbers not less than two (2) inches in height and shall be a light color on a dark background or a dark color on a light background. Each taxicab shall be equipped with a top light indicating the name of the name of the taxicab company, except for vans modified in height to accommodate a wheelchair lift, or any other taxi vehicle with a height that would render a top light difficult to see. The City Manager or designee may waive the company name rear external marking requirement if the top light on the vehicle identifies the company and is clearly visible at all times from the back of the vehicle. The City Manager may also waive the top light requirement for a taxicab providing the taxicab is otherwise marked as required herein, no risk to the public safety is created by doing so, and failure to do so would subject the applicant to undue hardship.

(2) Each taxicab or shuttle vehicle shall be conspicuously marked with its current rates and minimum charges on the left and right exterior sides in letters and numbers not less than one (1) inch in height and shall be a light color on a dark background or a dark color on a light background.

(3) Each taxicab or shuttle vehicle shall be conspicuously marked with its permit number at a readily visible location on the rear of the vehicle, in numbers not less than two (2) inches in height and shall be a light color on a dark background or a dark color on a light background.

(4) Exterior marking shall not be placed on vehicle windows unless the



vehicle is a station wagon and placement of the rates on the sides would make them illegible. In that event, the rates may be placed on the rear side windows only.

(c) **Color Scheme.** In order to facilitate the identification of taxicab or shuttle vehicles by customers and public safety personnel, the City Manager or designee may require distinct color schemes for separate companies. Each licensee or applicant for a taxicab or shuttle license shall designate the color scheme desired for the vehicles to be operated under such license. In the event there is a dispute between two or more licensees or applicants wishing to use the same or a similar color scheme, the City Manager or designee shall designate the color scheme assigned to each licensee or applicant, based on the following criteria:

(1) The length of time the company has used the color scheme;

(2) The degree to which the company name is associated with the color,

and the color scheme shall then be placed on file with the City. Thereafter all taxicab and shuttle vehicles shall be painted and maintained to correspond to the color scheme of the licensee under which such vehicle is authorized to operate. No person shall operate a taxicab or shuttle vehicle of an unauthorized color scheme.

4. **Vehicle Equipment.** Every motorized vehicle shall be equipped with such safety equipment as is required by state and federal law, by the Eugene Code, 1971, and by these regulations. Every vehicle shall be equipped with working seat belts or other restraining devices for the driver and every passenger. The number of passengers will be restricted to the total number of seats with working seat belts. Every vehicle shall be equipped with a fire extinguisher of a 1A10BC or 2A10BC, 2½ lb. type, readily accessible to the driver in the area of the front seat, which shall be serviced annually and immediately after each use. Every taxicab shall be equipped with a taxi meter which shall be programmed with one rate only, shall be maintained in good repair at all times, and shall be located so as to be readily visible to passengers within the vehicle.

#### **R-3.345-E STANDARDS FOR DRIVERS OF MOTORIZED PUBLIC PASSENGER VEHICLES.**

##### **1. Certification Required.**

(a) No person shall drive a motorized vehicle without first obtaining a driver certification card issued by the City.

(b) An applicant for driver certification must be at least 21 years of age and possess the appropriate Oregon driver's license.

(c) Upon application for a driver certification card, an applicant also may request

immediate issuance of a temporary certification card. Such card may be valid for a period not to exceed 30 days, or until the application is approved or denied, whichever is less. To request a temporary certification card, the person must provide the City with the following:

- (1) A copy of a criminal record history printout obtained from the Oregon State Police within 30 days of the request for a temporary certification;
  - (2) A copy of the person's Department of Motor Vehicles' printout obtained from the DMV within five days of the request for a temporary certification;
  - (3) A copy of an appropriate valid Oregon driver's license;
  - (4) Proof of residency in Oregon for a period of not less than the preceding 12 months;
  - (5) A completed application for a certification card, including payment of required fees; and
  - (6) A letter from a public passenger vehicle company which states that the company intends to employ the person as a driver.
- (d) The certification card is the property of the City and shall be surrendered to the City upon suspension, revocation or expiration of certification.
- (e) The certification card shall be nontransferable.

## **2. Requirements/Responsibilities of Driver.**

- (a) A driver shall:
- (1) Obtain and maintain a valid certification card from the city;
  - (2) Report to the city in writing within seven days any formal charges for any crime, infraction or offense.
  - (3) Report to the City within ten days any changes in employment status or employers.
  - (4) Display the certification card in a prominent place within the passenger compartment of any public passenger vehicle being driven by the certification card holder and show to any passenger, police officer or other City employee upon request.
  - (5) Deduct any charges for the time of the delay in the event a vehicle

becomes disabled or breaks down while conveying a passenger or baggage;

(6) Take the most direct route possible that will carry the passenger safely and expeditiously to his/her requested destination, unless otherwise requested;

(7) Upon request by the passenger, present a receipt for services provided;

(8) Not use tobacco without the consent of the passenger;

(9) Not charge a fare higher than that posted inside the vehicle; and

(10) Wear a seatbelt while operating or riding in the vehicle.

(b) No driver of a public passenger vehicle shall work as a driver more than twelve hours out of any twenty-four hour period.

(c) A driver shall be deemed to be working as a driver within the terms of this subsection whenever he/she is in charge of a vehicle and holding himself/herself in readiness to convey passengers. Both drivers and companies shall be responsible for violations and subject to enforcement action.

### **R-3.345-F     SPECIFICS FOR TAXIS.**

1. Any public passenger company operating taxicabs shall maintain the following minimum standards:

(a) The capability of providing reasonably prompt service in response to requests received by telephone, either independently or through cooperative dispatching with other licensees; and

(b) Facilities and personnel sufficient to insure that the requirements of the Eugene Code, 1971 and these regulations are met by every taxicab operated in the company.

2. **Public Passenger Vehicle Zones.** Where public passenger vehicle zones have been designated by the City:

(a) No driver of any taxicab shall make repairs to any vehicle while parked in a public passenger vehicle zone.

(b) No taxicab driver shall leave his or her vehicle unattended in a public passenger vehicle zone adjacent to a fire hydrant for any reason. No person shall leave a public passenger vehicle unattended in any other public passenger vehicle zone except when assisting passengers to enter or alight from the taxicab or carry their baggage or when

delivering packages, and then for no more than 20 minutes.

**R-3.345-G     SPECIFICS FOR SHUTTLES AND AIRPORT DOOR TO DOOR SHUTTLE SERVICE.**

1. No shuttle may operate without first receiving the appropriate permit(s) and filing its trip schedule with the city and posting the same at points of trip origin.

2. No airport door to door shuttle service may operate without first receiving the appropriate permit(s). An airport door to door shuttle service, its operator, and driver shall comply with the provisions of this rule applicable to public passenger vehicles, operators and drivers, except as specifically modified in this Section R-3.345-G.

2.1 An airport door to door shuttle service operator shall provide service only between the Eugene Airport and specifically designated zones within the Eugene-Springfield area. The operator shall provide a written operating plan detailing the service proposed. The plan shall include, but not be limited to, the operator's plan for meeting airline flight schedules, the type, quality, and amount of equipment proposed to be utilized, the zones to be serviced, and the rates to be charged for each zone. The plan shall be filed with and approved by the Airport Manager. No changes shall be made in the zones, rates, or other provisions set forth in the plan without the prior approval of the Airport Manager.

2.2 An airport door to door shuttle service permit shall not be issued to an operator with less than three years experience within a related ground transportation experience, such as taxi service or hotel/motel courtesy vans.

2.3 Only vans or buses with a capacity to carry six or more passengers and their luggage, and less than six years old at any time it is in service, shall be used to provide airport door to door shuttle service. The vehicle shall comply with other requirements in this Rule for public passenger vehicles, except no meters shall be installed in the vehicle, and the vehicle shall be used only for the provision of airport door to door shuttle service.

2.4 Drivers of airport door to door shuttles shall wear distinctive uniforms that have been previously approved by the Airport Manager, comply with other requirements in this Rule for public passenger vehicle drivers, the Airport Door to Door Shuttle Service Permit, and applicable provisions of the Airport Rules concerning ground transportation providers.

3. In addition to Airport Door to Door Shuttle Service Permits issued in accordance with this Rule, the Airport Manager may solicit proposals or bids and enter into a contractual agreement with an operator to provide Airport door to door shuttle service, with the operator being assigned space within the Airport terminal building and two curb side reserved Airport door to door shuttle service vehicle parking spaces near the main entrance of the terminal. Any such contract shall provide that the operator, vehicles, and drivers meet the minimum requirements in this Rule for

Airport door to door shuttle service, as well as requiring the operator to have a sufficient number of vehicles to meet the demands of the Eugene Airport flight schedules, and that a portion of those vehicles consist of accessible vehicles.

**R-3.345-H     SPECIAL RULES FOR OPERATION OF HORSE-DRAWN VEHICLES.**

Due to the different aspects of horse-drawn vehicles vs. motor vehicles, specific conditions for the operation of horse drawn vehicles in the public right-of-way are established. For the purpose of these rules, a horse-drawn vehicle is that which may be hired for the transportation of passengers and which is operated partially or entirely within the corporate limits of the cities of Eugene and Springfield. The operator shall be responsible for complying with the following conditions:

(a) The operator shall at all times have a qualified, experienced horse handler operating the vehicle. The handler shall maintain control of the horse at all times and shall obey all standard traffic laws and regulations.

(b) The operator shall use only horses which have been trained for use in vehicular and pedestrian traffic.

(c) The vehicles shall be equipped with red taillights, a reflectorized caution symbol sign mounted on the back of the vehicle, and carriage lamps or headlamps. The design and operation of the vehicle shall comply with all other state and local regulations for non-motorized vehicles operating on public streets.

(d) All aspects of the operation, including the vehicle, driver and signage, shall maintain a clean appearance while in operation.

(e) The operator shall use equipment which should prevent droppings of horse waste on the ground. The operator is responsible for properly disposing of all waste.

(f) The operator shall provide adequate rest periods and feeding schedules, during and between work shifts, which ensure the health and well-being of each animal used by the operator. This responsibility shall include vehicle load limits, hours of operation and daily hours of animal usage. No animal shall be left unattended while in service.

(g) Each horse-drawn vehicle shall be kept in a safe and sanitary condition at all times. The City shall have the right to inspect or cause to be inspected any horse-drawn vehicle as often as the City determines to be necessary for the purpose of ascertaining and causing to be corrected any unsafe or unsanitary conditions or any violations of this section or any other rule, regulation, ordinance or law relating to the operation of such horse-drawn vehicles. If any horse-drawn vehicle fails to pass such inspection, it shall be removed immediately from service on the day of inspection, and shall remain out of service until it has passed inspection.

(h) The operator shall obtain a permit for operating the vehicle that specifies times, routes and schedules that the vehicle(s) will be operated. The permit shall be valid for only the period of time, the designated routes or streets, and the schedule of operations defined on the permit. The route and schedule shall be subject to review and revision by the City at any time. Operations granted by the permit may be suspended by the City at any time there is an apparent safety problem to the public or the conditions of the license or permit are not met.

(i) Any exceptions or revisions to these conditions or the conditions of the license shall be made in writing to and approved by the City Manager or designee.

(j) The operator shall comply with all requests by the City for safety inspections of the vehicle or animal and welfare examinations of the animal. The City may require that the animal be examined by a certified veterinarian, acceptable to the City, with the cost of the examination to be borne by the operator. Unless expressly authorized in writing by the City, no operator shall use a vehicle or animal following a request for a special safety inspection or welfare examination until after the vehicle or animal passes the safety inspection and/or welfare examination.

(k) The operator shall post all rates either at the point of departure, if otherwise allowed by law, or on the vehicle.

#### **R-3.345-I     SPECIFICS FOR ACCESSIBLE VEHICLES.**

In addition to compliance with all ADA standards, and the standards for special service types, an accessible vehicle operator shall:

(a) Maintain wheelchair immobilization apparatus according to manufacturer's instructions;

(b) Maintain for a period of three years and make available to the city upon request records of all repairs and maintenance performed on wheelchair immobilization apparatus;

(c) Transport or allow transport of persons only in an upright sitting position or in a reclining position when the angle of recline is not more than 45 degrees;

(d) Equip each accessible vehicle with wheelchair immobilization apparatus that maintains the wheelchair in a stationary position;

(e) Not use or permit the use of an accessible vehicle which:

1. Is equipped to provide oxygen administration. An accessible coach

may transport persons requiring constant oxygen administration due to chronic respiratory conditions who use their own oxygen apparatus but who do not require ambulance service;

2. Is equipped with any type of stretcher, gurney or cot;

(f) Not use, or cause to be used, or permit any advertising, signing or other communication relating to an accessible vehicle which contains any reference to, or which uses words, symbols or other devices which cause or are likely to cause confusion as to the identity of the vehicle as an ambulance or other emergency medical services vehicle.

### **R-3.345-J     SPECIFICS FOR PEDICABS.**

#### **1.     Permit Required.**

(a) No person shall operate a pedicab for business purposes on city streets or bike paths without first paying the required fees and obtaining a permit therefore from the City.

(b) Prior to issuance of a permit hereunder, each pedicab shall be inspected by the City to determine compliance with the equipment requirements set forth in Section 2 of this R-3.345-K.

#### **2.     Equipment Required. All pedicabs shall be equipped with:**

- (1) Heavy duty front and rear brakes;
- (2) Working front and tail lights which are visible at all times;
- (3) Rear flashing tail lights to be operated at night;
- (4) Turn signal lights on rear of carriage;
- (5) Reflectors on wheels of bicycle and carriage;
- (6) Bell;
- (7) Rear mud flaps or similar protection;
- (8) Rear bumper on carriage;
- (9) Six foot safety flag; and
- (10) Slow moving vehicle safety triangle on rear of carriage.

#### **3.     Operator Requirements.**

(a) All operators of pedicab carriages must possess and maintain a valid State of Oregon driver's license throughout the permit term.

(b) A pedicab operator shall comply with all state and local traffic laws and regulations pertaining to the operation of bicycles.

(c) Each pedicab operator shall prominently display the pedicab permit issued by the City on the pedicab for which issued, together with the name, address and telephone number of the owner of the pedicab.

(d) All pedicab operators shall comply with the weight restriction requirements of each pedicab as posted thereon by the manufacturer.

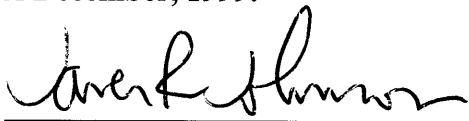
**4. Miscellaneous Requirements.**

(a) Prior to issuance of a pedicab permit, the owner/operator thereof shall provide proof of public liability and property damage insurance in a form and amount approved by the City.

(b) Each pedicab shall be appropriately marked with the rate information in a manner easily readable to the occupant of the pedicab, or the operator thereof shall provide such information in writing to each customer prior to the time of departure.

2. Administrative Order No. 53-93-26-F is hereby repealed as of the effective date of this Order.

Dated and effective this 21<sup>st</sup> day of December, 1999.

us   
\_\_\_\_\_  
James R. Johnson  
City Manager